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Lars Hindersson

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EXAMINER

LEE, ANDREW CHUNG CHEUNG

ART UNIT

PAPER NUMBER

2476

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |   |  |
|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/506,595 | <b>Applicant(s)</b><br>HINDERSSON, LARS |  |
|                              | <b>Examiner</b><br>Andrew C. Lee     | <b>Art Unit</b><br>2476                 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Response to Amendment***

1. Claims 1 – 17 are pending.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 5, 8, 12, 13, 17 are rejected U.S.C. 103(a) as being unpatentable over by Chang et al. (6700956 B2) and Katseff et al. (US 6301258 B1) in view of Lucioni (US 20040213203 A1).

**Regarding claim 1**, Chang et al. disclose a device, separate from an associated personal computer (PC), for handling asynchronously transferred digital packets on a network ("*Internet*"; *Fig. 1, element 10, col. 1, lines 31 – 41, col. 5, lines 1 – 20*), except explicitly asynchronously transferred digital packets on a local area network, comprising: a network connection for exchanging digital packets with the network and the associated PC (*col. 6, lines 37 – 56*), except local area network; a control connection between the device and the associated PC for transferring control signals and for connecting a telephony application, resident on the associated PC, to the device via the network connection wherein the device ("*elements 21, 22*"; *col. 5, lines 41 – 65, col. 6, lines 45 – 56*) comprises; a digital-to-analog-analog-to-digital (D/A-A/D) converter connected to the

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codec, for converting the digital packets into an analog signal (*col. 7, lines 33 – 43*), and a coder/decoder (codec) (*element 37, codec, Fig. 2, Fig. 3, Fig. 4*).

Chang et al. do not disclose explicitly asynchronously transferred digital packets on a local area network, and a software frame buffer for buffering the digital packets; a coder/decoder (codec) connected to the buffer for decoding the digital packets.

Katseff et al. in the same field of endeavor teach a local area network (*"intranet"*; *col. 1, lines 16 – 26*), and a software frame buffer for buffering the digital packets (*"data buffer"*; *Fig. 1, col. 3, lines 20 – 26*); a coder/decoder (codec) connected to the buffer for decoding the digital packets (*Fig. 1, element 120 codec, elements 114, 116, col. 3, lines 16 – 26*). At time the invention was made it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang et al. to include the features of a software frame buffer for buffering the digital packets; a coder/decoder (codec) connected to the buffer for decoding the digital packets as taught by Katseff et al. One of ordinary skill in the art would be motivated to do so for providing a method for reducing latency in packet telephony caused by anti-jitter buffering (*as suggested by Katseff et al., see col. 2, lines 12 – 13*).

The combined system of Chang et al. and Katseff et al. does not disclose explicitly asynchronously transferred digital packets on a local area network.

Lucioni in the same field of endeavor teaches asynchronously transferred digital packets on a local area network (*"audio signal are asynchronously transmitted in data packets via a packet-oriented communication network (LAN)"*; *Abstract, para. [0038]*). At time the invention was made it would have been obvious to a person of ordinary skill in the

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art to modify the teachings of Chang et al. and Katseff et al. to include the features of asynchronously transferred digital packets on a local area network as taught by Lucioni. One of ordinary skill in the art would be motivated to do so for providing method for improving the quality of an audio transmission in which audio data containing samples of an audio signal are transmitted asynchronously in data packets via a packet-oriented communication network, especially a communication network, without guaranteed quality of service. (*as suggested by Lucioni, see para. [0001]*).

**Regarding claim 5**, Chang et al. disclose the device claimed wherein the D/A-A/D converter is a full duplex converter (*“provide full duplex voice capabilities”; col. 7, lines 33 – 43*).

**Regarding claim 8**, Chang et al. disclose a method for handling a digital audio signal with a personal computer (PC), the PC including a telephony application which is connected both to a network and to an audio device (*Fig.1 element 10, apparatus interpreted as an audio device, element 14 PC interpreted as personal computer, element 19 interpreted as network; col. 5, lines 1 – 20*), except explicitly local area network, the method including: exchanging audio packets which are asynchronously transferred over the network (*col. 6, lines 37 – 56*), except explicitly packets which are asynchronously transferred over local area network; transferring the audio packets asynchronously through the PC between the telephony application and the audio device, where said audio device is separate from the PC (*Fig. 1, col. 7, lines 50 – 60*); decoding audio frames in the audio packets in a codec device (*col. 7, lines 33 – 43*); and digital-to-analog (D/A) converting the decoded audio frames (*col. 7, lines 33 – 43, col. 9, lines 11 – 22*).

Chang et al. do not disclose explicitly packets which are asynchronously transferred over local area network, and buffering the audio packets in a frame buffer in the audio device.

Katseff et al. in the same field of endeavor teach local area network (*"intranet"*; col. 1, lines 16 – 26), and buffering the audio packets in a frame buffer in the audio device (*"data buffer"*; Fig. 1, col. 3, lines 20 – 26). At time the invention was made it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang et al. to include the features of buffering the audio packets in a frame buffer in the audio device as taught by Katseff et al. One of ordinary skill in the art would be motivated to do so for providing a method for reducing latency in packet telephony caused by anti-jitter buffering (*as suggested by Katseff et al., see col. 2, lines 12 – 13*).

The combined system of Chang et al. and Katseff et al. does not disclose explicitly asynchronously transferred digital packets on a local area network.

Lucioni in the same field of endeavor teaches packets which are asynchronously transferred over local area network (*"audio signal are asynchronously transmitted in data packets via a packet-oriented communication network (LAN)"*; Abstract, para. [0038]). At time the invention was made it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang et al. and Katseff et al. to include the features of packets which are asynchronously transferred over local area network as taught by Lucioni. One of ordinary skill in the art would be motivated to do so for providing method for improving the quality of an audio transmission in which audio data containing samples of an audio signal are transmitted asynchronously in data packets via a packet-oriented

communication network, especially a communication network, without guaranteed quality of service. (*as suggested by Lucioni, see para. [0001]*).

**Regarding claim 12**, Chang et al. do not disclose explicitly the method claimed including: indicating whether the frame buffer is overfilled; and speeding up the codec device when the buffer is overfilled.

Katseff et al. in the same field of endeavor teach indicating whether the frame buffer is overfilled; and speeding up the codec device when the buffer is overfilled (*col. 6, lines 44 - 62*). At time the invention was made it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang et al. to include the features of: indicating whether the frame buffer is overfilled; and speeding up the codec device when the buffer is overfilled as taught by Katseff et al. One of ordinary skill in the art would be motivated to do so for providing a method for reducing latency in packet telephony caused by anti-jitter buffering (*as suggested by Katseff et al., see col. 2, lines 12 – 13*).

**Regarding claim 13**, Chang et al. disclose the method claimed wherein the telephony application has a control connection to the audio device (*col. 7, lines 33 – 43*), the method including: Chang et al. do not disclose explicitly determining in the telephony application the width of the frame buffer; and controlling the frame buffer width by a control signal on the control connection from the telephony application.

Katseff et al. in the same field of endeavor teaches determining in the telephony application the width of the frame buffer; and controlling the frame buffer width by a control signal on the control connection from the telephony application (*Katseff et al. col. 3, lines 26 – 30, 36 – 44; Fig. 2, Fig. 3, col. 6, lines 22 – 52*). At time the invention was made it

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would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang et al. to include the features of determining in the telephony application the width of the frame buffer; and controlling the frame buffer width by a control signal on the control connection from the telephony application as taught by Katseff et al. One of ordinary skill in the art would be motivated to do so for providing a method for reducing latency in packet telephony caused by anti-jitter buffering (*as suggested by Katseff et al., see col. 2, lines 12 – 13*).

**Regarding claim 17**, Chang et al. disclose the method claimed wherein the audio device operates in full duplex (*“full duplex capabilities”; col. 7, lines 33 – 43, col. 9, lines 11 – 22*).

4. Claim 2, 3, 4, 6, 7, 9, 10, 11, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (6700956 B2) and Katseff et al. (US 6301258 B1) as applied to claims 1 and 8 above, and further in view of Wilson (6081724).

**Regarding claim 2**, the combined system of Chang et al. and Katseff et al. disclose the device claimed, wherein the codec exchanges audio frames (*Chang et al., col. 6, lines 31 - 34; Katseff et al., col. 3, lines 20 - 26*).

Chang et al. and Katseff et al. do not disclose explicitly the codec and the frame buffer exchanges audio frames and the codec device includes an auxiliary codec for generating audio frames to be inserted in a stream of audio frames.

Wilson in the same field of endeavor teaches the codec and the frame buffer exchanges audio frames and an auxiliary codec for generating audio frames to be inserted



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in a stream of audio frames (*Fig. 2, element 217 Aux Codec; col. 3, lines 1 – 4, col. 4, lines 1 – 5*). At time the invention was made it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang et al. and Katseff et al. to include the features of the codec and the frame buffer exchanges audio frames and an auxiliary codec for generating audio frames to be inserted in a stream of audio frames as taught by Wilson. One of ordinary skill in the art would be motivated to do so for providing an improved portable communications device and accessory system which enables both voice and control commands to be communicated in full duplex between a portable communication device and external accessories over a single flexible digital interface (*as suggested by Wilson, see col. 2, lines 59 – 63*).

**Regarding claim 3**, Chang et al. and Katseff do not disclose explicitly the device claimed wherein the auxiliary codec is arranged to predict audio frames and replace frames from lost audio packets with the predicted frames.

Wilson in the same field of endeavor teaches wherein the auxiliary codec is arranged to predict audio frames and replace frames from lost audio packets with the predicted frames (*Fig. 3, col. 4, lines 42 – 44, 52 – 67, col. 5, lines 1 – 6, 20 – 34*). At time the invention was made it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang et al. and Katseff et al. to include the features of wherein the auxiliary codec is arranged to predict audio frames and replace frames from lost audio packets with the predicted frames as taught by Wilson. One of ordinary skill in the art would be motivated to do so for providing an improved portable communications device and accessory system which enables both voice and control commands to be

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communicated in full duplex between a portable communication device and external accessories over a single flexible digital interface (*as suggested by Wilson, see col. 2, lines 59 – 63*).

**Regarding claim 4**, the combined system of Chang et al. and Katseff et al. discloses the device claimed wherein the codec device is a hardware device (*Chang et al.: “DSP42/CODEC17 comprises the FEB 3265 integrated circuit”; col. 7, lines 22 – 30; Katseff et al., col. 3, lines 27 – 31*).

**Regarding claim 6**, Chang et al. do not disclose explicitly the device claimed wherein the buffer is arranged to receive a control signal on the control connection from the telephony application, which control signal determines the width of the buffer.

Katseff et al. in the same field of endeavor teaches the device claimed wherein the buffer is arranged to receive a control signal on the control connection from the telephony application, which control signal determines the width of the buffer (*col. 3, lines 26 – 30, 36 – 44; Fig. 2, Fig. 3, col. 6, lines 22 – 52*). At time the invention was made it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang et al. to include the features of the device claimed wherein the buffer is arranged to receive a control signal on the control connection from the telephony application, which control signal determines the width of the buffer as taught by Katseff et al. One of ordinary skill in the art would be motivated to do so for providing a method for reducing latency in packet telephony caused by anti-jitter buffering (*as suggested by Katseff et al., see col. 2, lines 12 – 13*).

**Regarding claim 7**, the combined system of Chang et al. and Katseff et al. discloses the device claimed wherein an appropriate one of the codecs can be selected by a control signal on the control connection from the telephony application (*Chang: col. 9, lines 11 – 22; Katseff et al. col. 3, lines 26 – 30, 36 – 44; Fig. 2, Fig. 3, col. 6, lines 22 – 39*).

Chang et al. and Katseff et al. do not disclose explicitly wherein the codec device has at least two codecs.

Wilson in the same field of endeavor teaches explicitly wherein the codec device has at least two codecs (*Fig. 2, elements 102, 217, col. 3, lines 39 – 56*). At time the invention was made it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang et al. and Katseff et al. to include the features wherein the codec device has at least two codecs as taught by Wilson. One of ordinary skill in the art would be motivated to do so for providing an improved portable communications device and accessory system which enables both voice and control commands to be communicated in full duplex between a portable communication device and external accessories over a single flexible digital interface (*as suggested by Wilson, see col. 2, lines 59 – 63*).

**Regarding claim 9**, the combined system of Chang et al. and Katseff et al. discloses the method claimed codec device.

Chang et al. and katseff et al. do not disclose explicitly wherein the codec device includes an auxiliary codec and the method includes: following in the auxiliary codec a stream of audio frames; generating audio frames in the auxiliary codec in dependence on

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the stream of audio frames; and inserting the generated audio frames into the stream of audio frames.

Wilson in the same field of endeavor teaches wherein the codec device includes an auxiliary codec and the method includes: following in the auxiliary codec a stream of audio frames (*col. 4, lines 1 – 5*); generating audio frames in the auxiliary codec in dependence on the stream of audio frames; and inserting the generated audio frames into the stream of audio frames (*Fig. 2, element 217 Aux Codec; col. 3, lines 1 – 4, col. 4, lines 1 – 5*). At time the invention was made it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang et al. and Katseff et al. to include the features of wherein the codec device includes an auxiliary codec and the method includes: following in the auxiliary codec a stream of audio frames; generating audio frames in the auxiliary codec in dependence on the stream of audio frames; and inserting the generated audio frames into the stream of audio frames as taught by Wilson. One of ordinary skill in the art would be motivated to do so for providing an improved portable communications device and accessory system which enables both voice and control commands to be communicated in full duplex between a portable communication device and external accessories over a single flexible digital interface (*as suggested by Wilson, see col. 2, lines 59 – 63*).

**Regarding claim 10**, Chang et al. and Katseff do not disclose explicitly the method claimed including: predicting audio frames in dependence on the stream of audio frames; and inserting predicted audio frames for frames in lost audio packets.

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Wilson in the same field of endeavor teaches predicting audio frames in dependence on the stream of audio frames; and inserting predicted audio frames for frames in lost audio packets (*Fig. 3, col. 4, lines 42 – 44, 52 – 67, col. 5, lines 1 – 6, 20 – 34*).

At time the invention was made it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang et al. and Katseff et al. to include the features of predicting audio frames in dependence on the stream of audio frames; and inserting predicted audio frames for frames in lost audio packets as taught by Wilson. One of ordinary skill in the art would be motivated to do so for providing an improved portable communications device and accessory system which enables both voice and control commands to be communicated in full duplex between a portable communication device and external accessories over a single flexible digital interface (*as suggested by Wilson, see col. 2, lines 59 – 63*).

**Regarding claim 11**, Chang et al. do not disclose explicitly the method claimed including: indicating whether the frame buffer is temporarily empty; and inserting generated noise audio frames when the buffer is empty.

Katseff et al. in the same field of endeavor teach indicating whether the frame buffer is temporarily empty; and inserting generated noise audio frames when the buffer is empty (*“buffer will also typically empty”, “silence suppression”; col. 5, lines 17 - 25*).

At time the invention was made it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang et al. to include the features of indicating whether the frame buffer is temporarily empty; and inserting generated noise audio frames

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when the buffer is empty as taught by Katseff et al. One of ordinary skill in the art would be motivated to do so for providing a method for reducing latency in packet telephony caused by anti-jitter buffering (*as suggested by Katseff et al., see col. 2, lines 12 – 13*

**Regarding claim 14**, the combined system of Chang et al. and Katseff et al. disclose the method claimed, wherein the telephony application has a control connection to the audio device and the method including selecting an appropriate one of the codecs by a control signal from the telephony application on the control connection (*Chang: col. 9, lines 11 – 22; Katseff et al.: col. 3, lines 26 – 30, 36 – 44; Fig. 2, Fig. 3, col. 6, lines 22 – 39*).

Chang et al. and Katseff et al. do not disclose explicitly wherein the codec device has at least two codecs.

Wilson in the same field of endeavor teaches explicitly wherein the codec device has at least two codecs (*Fig. 2, elements 102, 217, col. 3, lines 39 – 56*).

At time the invention was made it would have been obvious to a person of ordinary skill in the art to modify the teachings of Chang et al. and Katseff et al. to include the features wherein the codec device has at least two codecs as taught by Wilson. One of ordinary skill in the art would be motivated to do so for providing an improved portable communications device and accessory system which enables both voice and control commands to be communicated in full duplex between a portable communication device and external accessories over a single flexible digital interface (*as suggested by Wilson, see col. 2, lines 59 – 63*).

5. Claims 15, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (US 6700956 B2) in view of Lucioni (US 20040213203 A1).

**Regarding claim 15**, Chang et al. disclose a method for handling of a digital audio signal in connection with a personal computer PC, the PC including a telephony application which is connected both to a network and to an audio device (Abstract, *Fig. 1 element 10, apparatus interpreted as an audio device, element 14 PC interpreted as personal computer, element 19 interpreted as network*; col. 5, lines 1 – 20, “internet telephone application”; col. 8, lines 66 – 67), except explicitly local area network, the method including: A/D converting an analog audio signal into a digital audio signal in the audio device (“convert and compress the signals from analog telephone to digital signals”; col. 7, lines 33 – 43); coding the digital audio signal and forming audio frames (col. 7, lines 33 – 43, col. 9, lines 11 – 22); forming audio packets which are transferred asynchronously through the PC between the telephony application and the audio device, where said audio device is separate from the PC (*Fig. 1, col. 7, lines 50 – 60, col. 9, lines 11 – 22*), and except asynchronously transferring the audio packets over the local area network.

Chang et al. do not disclose explicitly asynchronously transferring the audio packets over the local area network.

Lucioni in the same field of endeavor teaches asynchronously transferring the audio packets over the local area network (“audio signal are asynchronously transmitted in data packets via a packet-oriented communication network (LAN)”; Abstract, para. [0038]). At time the invention was made it would have been obvious to a person of ordinary skill in

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the art to modify the teachings of Chang et al. and Katseff et al. to include the features of asynchronously transferring the audio packets over the local area network as taught by Lucioni. One of ordinary skill in the art would be motivated to do so for providing method for improving the quality of an audio transmission in which audio data containing samples of an audio signal are transmitted asynchronously in data packets via a packet-oriented communication network, especially a communication network, without guaranteed quality of service (*as suggested by Lucioni, see para. [0001]*).

**Regarding claim 16**, Chang et al. disclose the method claimed wherein the audio device operates in full duplex (*"full duplex capabilities"; col. 7, lines 33 – 43, col. 9, lines 11 – 22*).

### ***Response to Arguments***

6. Applicant's arguments filed on 12/09/2009 with respect to claims 1 – 17 have been considered but are moot in view of the new ground(s) of rejection.

Regarding claims 1, 5, 8, 12, 13, and 17, applicant argues that the combination of Chang and Katseff fail to teach, disclose, or suggest "audio packets which are asynchronously transferred over the local area network". Applicant then remarks the Examiner previously read the PSTN network of Chang on the 'network' of Applicant's claims. It would be improper to read a PSTN network as described in Chang on the "local area network" as presently claimed. As such, Applicant respectfully submits that independent claims 1 and 8 are patentable over the combination of Chang and Katseff.



In response to applicant's argument, Examiner respectfully disagrees.

The combined system of Chang and Katseff disclose implicitly and suggest "audio packets which are asynchronously transferred over the network, see *Chang*, "Internet"; *Fig. 1, element 10, col. 1, lines 31 – 41, col. 5, lines 1 – 20*; and Katseff teaches local area network, see Katseff, "intranet"; col. 1, lines 16 – 26. The combined system of Chang and Katseff and newly cited reference Lucioni discloses audio packets which are asynchronously transferred over local area network, see Lucioni, "audio signal are asynchronously transmitted in data packets via a packet-oriented communication network (LAN)"; Abstract, para. [0038].

Examiner never interpreted or read the PSTN network of on the 'network' of Applicant's claims. Examiner cited "internet" as the 'network' of Applicant's claims. see claim 15 element 19 of figure 1.

Regarding claims 2, 3, 4, 5, 6, 7, 9, 10, 11, and 14, applicant then argues the combination of Chang and Katseff fail to teach, disclose, or suggest "audio packets which are asynchronously transferred over the local area network".

In response to applicant's argument, Examiner respectfully disagrees.

The combined system of Chang and Katseff disclose implicitly and suggest "audio packets which are asynchronously transferred over the network, see *Chang*, "Internet"; *Fig. 1, element 10, col. 1, lines 31 – 41, col. 5, lines 1 – 20*; and Katseff teaches local area network, see Katseff, "intranet"; col. 1, lines 16 – 26. The combined system of Chang and Katseff and newly cited reference Lucioni discloses audio packets which are

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asynchronously transferred over local area network, see Lucioni, "audio signal are asynchronously transmitted in data packets via a packet-oriented communication network (LAN)"; Abstract, para. [0038].

Regarding claims 15 and 16, applicant further argues that Chang fails to teach, disclose, or suggest "audio packets which are asynchronously transferred over the local area network".

In response to applicant's argument, Examiner respectfully disagrees.

The combined system of Chang and Katseff disclose implicitly and suggest "audio packets which are asynchronously transferred over the network, see *Chang*, "Internet"; *Fig. 1, element 10, col. 1, lines 31 – 41, col. 5, lines 1 – 20*; and Katseff teaches local area network, see Katseff, "intranet"; col. 1, lines 16 – 26. The combined system of Chang and Katseff and newly cited reference Lucioni discloses audio packets which are asynchronously transferred over local area network, see Lucioni, "audio signal are asynchronously transmitted in data packets via a packet-oriented communication network (LAN)"; Abstract, para. [0038].

### **Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a) Sicher et al. (US 6385195 B2).
- b) Preston et al. (US 7151768 B2).
- c) Riemann et al. (5892764).
- d) Pang et al. (US 20030112758 A1).

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Lee whose telephone number is (571)272-3131. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information

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about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 2476 <2Q10::2\_27\_10>

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